



Docket No.: U2054.0144

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hiroshi Furukawa et al.

Application No.: 10/689,727

Filed: October 23, 2003 Art Unit: Not Yet Assigned

For: BASE-STATION CELL DESIGN Examiner: Not Yet Assigned

METHOD AND BASE-STATION CELL

DESIGN APPARATUS AND PROGRAM

THEREOF IN MOBILE

COMMUNICATION SYSTEM

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Timing of Filing of the Information Disclosure Statement:

This IDS is being filed before the First Office Action¹.

¹ The IDS should, where possible, include a certification under 37 C.F.R. §1.97(e).

² The IDS *must* include *either* a certification under 37 C.F.R. §1.97(e) *or* the fee set forth in 37 C.F.R. §1.17(p).

³ The IDS must include both a certification under 37 C.F.R. §1.97(e) and the fee set forth in 37 C.F.R. §1.17(p).

and this communication was not received by any individual designated in \$1.56(c) more than thirty days prior to the filing of this information disclosure statement.

Fee R	equired by 37 C.F.R. § 1.97(c)(2) or 1.97(d)(2):
	If checked, the fee of \$180.00 set forth in 37 C.F.R. \$1.17(p) is attached.
Copie	es of Information:
In acc	ordance with 37 C.F.R. \$1:98(a), the following are enclosed:
\boxtimes	A legible copy ⁴ of each document (or relevant portion thereof) is cited in the attached PTO/SB/08.
	With respect to any information which is not in English, a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, is attached. This concise explanation is provided by way of:
	A translation of the relevant portions of the non-English language information ⁵ ;
	A statement explaining the relevant portions of the non-English language information;
	A copy [and, where not in the English language, a translation] of at least the relevant portion(s) ⁶ of the communication from a foreign patent

⁴ A legible copy of the document is not required if (1) the information was previously cited by, or submitted to, the Office and considered by the Office in a prior U.S. application to which this application claims priority, provided that the prior application is properly identified in this IDS, and (2) the IDS submitted in the earlier application complies with 37 C.F.R. § 1.98(a) – (c). This exception does not apply to information cited in an International Application.

⁵ 37 C.F.R. §1.98(a)(3)(ii) requires that an English language translation be provided when a translation of the document, or portion thereof, "is within the possession, custody or control of, or is readily available to any individual designated in 37 C.F.R. § 1.56(c)."

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office in a counterpart foreign application in which the information was cited; or

This information is contained in the specification of the present application.

In accordance with 37 C.F.R. 1.98(d), copies of the cited documents are not enclosed as they were provided in application Serial No. , filed , which the present application relies upon for an earlier effective filing date under 35 U.S.C. 120.

Materiality:

Whether or not the information and references disclosed in this Information Disclosure Statement is "material" pursuant to 37 CFR 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

⁶ The relevant portion is that portion which indicates the degree of relevance found by the foreign patent office. This may be an explanation of which portion of the of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report. MPEP §609 III A(3).

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In the event the actual fee is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: May 5, 2004

Respectfully submifted

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Substitute for form 1449A/B/PTO		Complete if Known			
INFORMATION DISCLOSURE				Application Number	10/689,727-Conf. #3992
				Filing Date	October 23, 2003
STATEMENT BY APPLICANT			PPLICANT	First Named Inventor	Hiroshi Furukawa
				Art Unit	Not Yet Assigned
	(Use as many sheets as necessary)			Examiner Name	Not Yet Assigned
Sheet	1	of	. 1	Attorney Docket Number	U2054.0144

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-6,111,857	08-29-2000	Soliman et al.	

		FOREI	GN PATENT I	DOCUMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	BA	-WO 96/38875	12-05-1996			
	BB	-WO 01/72071 A1	09-27-2001			
	ВС	-EP 1 146 760 A2	10-17-2001			
	BD	-WO 02/35872 A1	05-02-2002			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²			
	CA	Menolascino et al., "Third Generation Mobile Systems Planning Issues", Vehicular Technology Conference, 1998, Ontario, Canada, pgs. 830-834 (1998)			
	СВ	Menolascino et al., "Storms", Software Tools for the Optimization of Resources in Mobile Systems, Storms Project Final Report, pgs. 1-58 (April 1999)			
	CC	Kai Lieska ErkkiLaitinen, "Optimization of Gos of Cellular Network", pgs. 2277-2281, IEEE PIMRC 2002, pgs. 2277-2281 (September 2002)			

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.